

THE TOWN OF MERRIMAC

S6911 State Highway 113 - P.O. Box 115
Merrimac, WI 53561

MINUTES OF THE PLANNING & ZONING COMMISSION

April 16, 2014

Present were Richard Grant, Chair; John Gaedke; Tim Healy, Dan Purcell, Dawn Peetz and Frank Olah. Also present was Tim McCumber, Town Administrator and Mike Slavney, Town Planner.

Chair Richard Grant called a Public Hearing to order regarding the following applications: A Conditional Use Permit for Vacation Rental Establishment (VRE) in the Agriculture District per Town Ordinance 2.30 on property located at S6833 & S6837A Bluff Rd., Tax Parcels 026-0455-00000 and 026-0455-10000; application by Letitia Allen-Jacobs, Trustee, Allan family Trust, DBA Prairie Hill Farm, 2107 Sherwood Dr., Cambria, CA 93428; A Conditional Use Permit for Vacation Rental Establishment (VRE) in the Residential District per Town Ordinance 2.30 on property located at S7225 Camp Lake Wisconsin Rd., Tax Parcel 026-0779-00000; application by Robert & Ann Hansen, 415 Murray St., Owatonna, MN 55060; A Conditional Use Permit for Vacation Rental Establishment (VRE) in the Residential District per Town Ordinance 2.30 on property located at E13894 Devil's Doorway., Tax Parcel 026-0794-00000; application by Randy & Laurel Rauch, DBA The Cove at Devil's Doorway, LLC., 304 Watercress Ct., Cottage Grove, WI 53527; A Conditional Use Permit for Vacation Rental Establishment (VRE) in the Residential District per Town Ordinance 2.30 on property located at S6185 Bluff Rd. Unit #4, Tax Parcel 026-0346-00000; application by Lesleigh Lippitt, S6185 Bluff Rd., Merrimac, WI 53561. Boettcher letter in favor. Abbey letter in opposition. No one appeared as interest may appear. Motion to close hearing by Healy, second Gaedke Motion passed.

Grant then called the commission meeting to order; McCumber certified compliance with the open meetings law. The commission considered the minutes of the March 19, 2014 meeting, motion by Gaedke, second by Purcell. Motion passed. Under **OLD BUSINESS**. Discussion and possible action regarding a request for a Conditional Use Permit for an accessory structure greater than 24' x 30' x 14' on a residential property in the Residential District per Town Ordinance 7.02(3)(b); Margo Zeman, E13675 Idlewild Ln., Tax Parcel 0053-10000. Grant, Healy, and Purcell all reported viewing the properties. Grant noted that every 3 years the field has corn and there is no view of the bluffs, but pines on a small hill next to the village sewage treatment center on the Shanks property. Grant said that he has concerns about creating some sort of view corridors by precedence. The DOT has view corridors, the DNR has regulations associated with navigable waterways, and Sauk County has one as it relates to gazebos if they block views of the water. Healy noted that if she has any view at all, there would still be about a 70% view of what currently exists. Atty. Mark Steichen spoke about Ms. Asma's concerns and provided a packet with a copy of the town's zoning ordinance and argued the town's zoning ordinance does not allow the commission to rezone the property to residential. He agrees the comprehensive plan does allow for the change, but because there are lands that are not developed, we cannot do so. He argued that the building could remain where it is and he thought it was not in a dilapidated condition. He believes they can also build it on the same property in another location and meet all of the town's setbacks. He said that building within a certain distance of pine trees is not as big of a concern as driving over or compacting the roots. He said that they could place the garage at least 22' from the side and rear property lines and still have room to place the garage. It was also noted that the current property owner could sell that parcel and a home could also be

constructed there without any need for a CSM. A motion by Grant to recommend approval to approve with Standard CUP language plus a condition of CSM approval attaching the lots and meet the standards of 7.04 (2), language to enable the fire department to determine which portion would be for emergency access and turnaround, second by Gaedke. Motion passed. Under **NEW BUSINESS**, the commission considered a Conditional Use Permit for Vacation Rental Establishment (VRE) in the Agriculture District per Town Ordinance 2.30 on property located at S6833 & S6837A Bluff Rd., Tax Parcels 026-0455-00000 and 026-0455-10000; application by Letitia Allen-Jacobs, Trustee, Allan family Trust, DBA Prairie Hill Farm, 2107 Sherwood Dr., Cambria, CA 93428. McCumber reported the CUP request met the requirements established by ordinance. Motion to recommend approval Purcell, second by Peetz. Motion passed. The commission next considered a Conditional Use Permit for Vacation Rental Establishment (VRE) in the Residential District per Town Ordinance 2.30 on property located at S7225 Camp Lake Wisconsin Rd., Tax Parcel 026-0779-00000; application by Robert & Ann Hansen, 415 Murray St., Owatonna, MN 55060. McCumber reported the CUP request met the requirements established by ordinance. Motion to recommend approval Gaedke/Peetz. Motion passed. The commission then considered a Conditional Use Permit for Vacation Rental Establishment (VRE) in the Residential District per Town Ordinance 2.30 on property located at E13894 Devil's Doorway., Tax Parcel 026-0794-00000; application by Randy & Laurel Rauch, DBA The Cove at Devil's Doorway, LLC., 304 Watercress Ct., Cottage Grove, WI 53527. McCumber reported the CUP request met the requirements established by ordinance, but advised the property owners to consider planting trees or brush to help reduce potential problems. Motion to recommend approval Peetz, second by Olah. Motion passed. The board finally considered a Conditional Use Permit for Vacation Rental Establishment (VRE) in the Residential District per Town Ordinance 2.30 on property located at S6185 Bluff Rd. Unit #4, Tax Parcel 026-0346-00000; application by Leigh Lippitt, S6185 Bluff Rd., Merrimac, WI 53561. McCumber reported the CUP request met the requirements established by ordinance despite its location in a condo. He did add that all of the neighbors were notified. Motion to recommend approval Olah/Healy. Motion passed.

Under the **ADMINISTRATOR'S REPORT**, McCumber reported that there 8 permits issued so far this year totaling \$330,260 which is typical for this time of year. Next month there will be another VRE application.

Motion to adjourn by Gaedke, second by Purcell. Motion passed.